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Subcommittee on Water, Oceans, and Wildlife**

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Chairman Huffman, Ranking Member Bentz, and Members of the Subcommittee, on behalf of the International Fund for Animal Welfare (IFAW), thank you for the opportunity to provide testimony concerning the Big Cat Public Safety Act (H.R. 263).

For many years, IFAW has called for an end to the private ownership and unscientific breeding of big cats in the United States and around the world. The organization has a long history of rescuing and providing sanctuary for captive big cats that, because of deficiencies in existing law governing big cat ownership, have endured inhumane and unsafe living conditions, often for many years. Since 2004, IFAW has worked with bona fide sanctuaries, the Global Federation of Animal Sanctuaries and the Big Cat Sanctuary Alliance (BCSA) to assist with the rescue and transport of big cats from backyards, basements and roadside collections into permanent, optimal lifetime care.

Over the past decade, IFAW has helped to rescue, relocate and provide care for more than 120 big cats, including lions, tigers and cougars, from unsafe circumstances to qualified sanctuaries across the United States. In addition, IFAW's partner sanctuaries in the BCSA—true “sanctuaries” that provide quality, lifetime care to rescued animals and do not allow public contact, buy, sell, breed, or otherwise exploit big cats—have given forever homes to hundreds more wild felines from across the U.S. in recent years. At present, these sanctuaries house 540 big cats, providing round-the-clock care, safe and spacious shelter, veterinary support, enrichment, nutritional expertise, physical rehabilitation, and countless other services essential to the wellbeing of animals rescued from unqualified owners and inhumane conditions.¹

The experiences of IFAW's partner sanctuaries highlight the extreme abuse enabled by the “pet” big cat trade. When The Wildcat Sanctuary rescued Liberty the cougar, she weighed less than half the weight of a typical adult cougar due to starvation, and had ears so severely damaged that the tips were hanging by tiny strips of flesh. She had urine burns on her body, along with parasitic and bacterial infections. Alarming, both of her back legs had been broken and left untreated.

Another “pet” cougar, Mickey, was rescued from a backyard enclosure in such poor condition that he was not expected to survive. Severely torn ligaments in his back legs were left untreated such that he was barely able to move. Because of the severe pain associated with his condition and the grossly inadequate care that he was receiving, he was extremely underweight. After multiple surgeries and extensive and ongoing veterinary care, he is now able to walk short distances and engage in some natural behaviors, but the devastation of his time as a backyard novelty has left him with permanent, severe physical limitations.

¹ Big Cat Sanctuary Alliance by the Numbers, *available at* <https://www.bigcatalliance.org/>.

A leopard held on the property from which Mickey was rescued was not so lucky. The leopard had been placed into the same enclosure as a large dog and experienced severe injuries, which were left untreated. The leopard ultimately succumbed to these injuries after at least two years of suffering, during which the animal was observed with festering tissue and bones protruding from its skin.

Unfortunately, these are just a few examples of the horrific conditions that “pet” big cats endure across the U.S.—and most will not have been rescued and brought to qualified sanctuaries.

The Big Cat Public Safety Act will address this serious public safety and animal welfare crisis in the United States by bringing an end to the trade in “pet” big cats and the unsafe display of lions, tigers, leopards, snow leopards, clouded leopards, cheetahs, jaguars, and cougars, as well as any hybrid of these species. These dangerous big cats are kept as pets in the U.S. in alarming numbers, which threatens public safety, diminishes global big cat conservation efforts, and often results in mistreatment and cruelty toward the animals. Captive big cats may be kept on residential properties, roadside menageries, and other places in which they live in inhumane conditions and pose a significant risk to people. It is estimated that there are thousands of big cats in private ownership in the U.S.²—more than are found in the wild. However, the precise number of captive big cats remains a mystery, and this lack of knowledge about nationwide big cat ownership is a significant part of the problem.

In recent decades there have been nearly 800 dangerous incidents involving captive big cats, including maulings, escapes, confiscations, situations in which big cats have been killed, and—alarmingly—cases in which captive big cats have killed people.³ Such risks are unavoidable under the current legal and regulatory structure governing big cat ownership; these dangerous, wild animals cannot be trained or domesticated in such a way that people can safely have direct contact with them. Private operations that keep, breed, and offer for handling big cats are fundamentally unsafe for the public, as is possession of “pet” big cats.

It is not only the individuals who choose to keep or interact with big cats who are at risk. First responders are generally not trained or equipped to deal with these wild animals, but nonetheless must put their lives on the line when dangerous incidents involving big cats occur. The law enforcement officers who were called upon to respond to the 2011 “Zanesville massacre,” an incident in which an Ohio man with a backyard menagerie released 38 big cats and other exotic animals, have recounted the peril and challenge of such situations. Muskingum County Sheriff Matthew Lutz, acknowledging the strain placed on his agency by the incident, recalled, “In order to protect my community, I had to make the difficult decision to shoot the animals.... This decision, although the right one, brought major adversity to my office and my community. It also placed a heavy burden on our Deputies some which still carry that today.”⁴ He emphasized that “[l]aw enforcement and other first responders don't go through training for this, and taxpayers pay the cost when big cats escape or otherwise jeopardize the community.... Some of our

² See, e.g., 90-Day Finding on a Petition to Delist the Tiger, 75 Fed. Reg. 48914, 48917 (2010).

³ Big Cat Sanctuary Alliance, Big Cat Incidents Database, *available at* <https://www.bigcatalliance.org/wp-content/uploads/2021/09/Captive-Big-Cat-Incidents-Database-Final-BCSA-Website-Version.xlsx>.

⁴ Letter from Matthew J. Lutz, Muskingum County Sheriff, to Members of Congress (2021).

Deputies took quite some time to cope with the situation they were put in.”⁵ Other first responders have echoed these statements, noting that “first responders should never be expected to manage animals of this magnitude”⁶ and calling H.R. 263 “common sense legislation [that] will help our public safety officers to protect the public and themselves.”⁷

The Big Cat Public Safety Act would require that facilities that are permitted to raise and keep big cats be legitimate sanctuaries or exhibitors licensed by the U.S. Department of Agriculture (USDA) and operating with adequate barriers between animals and the public. It is noteworthy that the backyard menagerie in Zanesville, Ohio would not have been considered an exempted facility under H.R. 263, as it (like many similar operations) was a private collection not subject to USDA oversight.

Presently, very little information is kept by the USDA, state agencies or local authorities regarding how many big cats are being kept, under what conditions, and where. By requiring big cat owners to publicly register their animals with a federal agency, H.R. 263 will ensure that state agencies, local law enforcement, first responders and the surrounding community can access information about where dangerous big cats are being kept. It will avert unnecessary human suffering, deaths and injuries from these inherently dangerous animals.

In addition to advancing public safety objectives, H.R. 263 will protect big cats from the inhumane conditions that are ubiquitous among backyard breeding operations, cub handling exhibits, and “pet” enclosures that are poorly suited to these wide-ranging apex predators. Privately-owned, captive big cats are subjected to neglect and mistreatment in many cases, and the Big Cat Public Safety Act aims to end this cruelty.

Captive big cats also suffer when they are overbred, separated from their offspring, and subjected to excessive human contact. Exhibitors who profit from allowing people to handle cubs promote excessive breeding because there is a constant need to produce new cubs for display. The young animals used for handling exhibits are prematurely taken from their mothers, constantly held and photographed, exposed to illness due to constant human contact, and subjected to abusive “training” techniques in futile attempts to make them safe for public contact once they mature.

Qualified sanctuaries’ personnel have seen firsthand the devastating impacts of the cub handling industry, which is driven by exhibits that allow the public to handle, hold, take photos with, and even swim with big cats that are just a few weeks old. Consumers are often misled about the underlying cruelty, but rescuers know all too well the true consequences of direct contact displays.

Among 68 big cats rescued from a now-shuttered Oklahoma facility that offered cub encounters were survivors of this inhumane industry. One young cat underwent extensive veterinary care and rehabilitation under the supervision of rescuers because she was severely underweight, had

⁵ *Id.*

⁶ Open letter from Dwight Graves, Commissioner, Alabama Fire College and Personnel Standards Commission (2013).

⁷ Open letter from Tim Harrison, Director of Outreach for Animals, retired police officer/firefighter/EMT-paramedic, and instructor for the National Emergency Response and Rescue Training Center (2013).

multiple untreated bone fractures, and struggled to walk or move.⁸ Other felines bred for cub handling at the same facility suffered from painful, and in some cases life-threatening, conditions including severe infections, neurological abnormalities, respiratory illnesses, dehydration, skin ulcerations, and other signs of neglect, abuse, improper breeding and exploitation.⁹ Many animals did not survive the adverse health impacts of excessive breeding at that facility. Causes of death included premature renal failure, improper sedation, and physiological impacts of inappropriate breeding and birthing procedures resulting in painful deaths, among many others.¹⁰

The dangers of the cub handling industry do not extend solely to felines. Just as direct contact threatens the health and safety of cubs, it jeopardizes human health. Numerous pathogens can be passed between big cats and people, from ringworm, roundworm and other parasitic infections to bacterial infections and rabies.¹¹ As communities in the U.S. and around the world continue to grapple with the staggering impacts of an ongoing pandemic, we face a devastating reminder that zoonotic disease spread must be taken seriously.

Notably, this is not a risk that can be offset by simply vaccinating the animals. In the case of rabies, for instance, there are currently no vaccines licensed for use in big cats. Even where humans are not susceptible to a particular pathogen, diseases may be passed from captive big cats to other animals, including pets, through humans; canine distemper virus is just one example. The risk of zoonotic disease transmission underscores that even juvenile big cats can be deadly when used in public contact displays.

Allowing direct contact with captive big cats can also give the general public the false impression that these animals can be tame, harmless, and suitable as pets, and that they can be humanely kept in small enclosures with little stimulation—a misconception that is problematic with respect to both animal welfare and human safety.

Once cubs become too large to be used for profit in cub handling displays, they are often left to live out their lives in extremely inhumane conditions, without much-needed space or stimulation. They may be sold to other unqualified facilities at which conditions are just as deplorable, sold as pets and kept in yards, basements, or otherwise dangerous and cruel conditions, or even killed. In one case, more than 90 dead tigers, including 58 cubs stuffed into freezers, as well as other exotic animals suffering from malnutrition, were found abandoned by an exhibitor who operated a breeding facility and cub handling business in California.¹²

The suffering of these captive big cats, sadly, does nothing to advance the protection and welfare of big cat species in the wild. Although private ownership advocates have argued that big cat ownership and cub handling result in conservation benefits for wild populations, experts are overwhelmingly in agreement that this is not the case. Big cats that are in private hands in the

⁸ Complaint, *United States v. Lowe*, No. 20-cv-0423-JFH (E.D. Okla. Oct. 18, 2021).

⁹ *Id.*

¹⁰ *Id.*

¹¹ For examples of zoonotic diseases associated with captive felids, see Jennah Green, et al., *African Lions and Zoonotic Diseases: Implications for Commercial Lion Farms in South Africa*, 10 *ANIMALS* 1692 (2020).

¹² Chris Dixon, *Last 39 Tigers Are Moved From Unsafe Rescue Center*, N.Y. Times (June 11, 2004); Barbara Whitaker, *Many Dead Tigers Are Found At Big Cat 'Retirement Home,'* N.Y. Times (April 24, 2003).

U.S. cannot be traced back to wild populations, and they have been crossbred and inbred in captivity.

In fact, private ownership in the U.S. exacerbates big cat conservation challenges; it contributes to interstate traffic in those species and may contribute to the illegal international wildlife trade. There is currently no way to know how many U.S.-born big cats are disposed of or when their parts are illegally sold into trade. However, investigations undertaken by the U.S. Fish and Wildlife Services' (FWS) demonstrate that this threat is far from speculative. For instance, a multi-state investigation that was initiated in 1997 resulted in the conviction of seventeen defendants in seven states after FWS special agents discovered that the defendants involved were purchasing and killing exotic big cats with the intention of selling their meat, hides, and parts.¹³ These animals were purchased and killed in the United States, underscoring the direct link between private, domestic captivity and breeding and the illicit trade in wildlife parts.

Tigers are placed at a particularly high risk as a result of the relationship between private ownership and trafficking. Tigers are extremely endangered by poaching and trade, and illegal tiger products continue to be smuggled into the U.S. from foreign countries. One of the biggest threats to wild tigers is the demand for tiger parts and products. Since wild tigers are more desirable than captive tigers for these purposes, any leakage of captive tiger parts and products into the illegal market perpetuates demand, encourages poaching and poses a dire threat to remaining wild populations.

It is noteworthy that captive-bred tigers cannot be used to replenish wild tiger populations, as they can never be released into the wild. They are largely genetic hybrids and would diminish the genetic vitality of wild populations. Captive tigers and other big cats have not learned to hunt, a skill they acquire from their mothers in the wild, and have generally become accustomed to humans, which could lead to conflict with people and put these cats' survival at stake.

Conservation threats are particularly important because all species of big cats that would be covered under this bill are protected under the Endangered Species Act, with the exception of cougars. If steps are not taken to restrict the private ownership and breeding of big cats in the U.S., wild populations of these species will face increasing pressure as their captive counterparts continue to suffer.

In addition to contributing to wildlife trafficking, private ownership and breeding of big cats in the U.S. has resulted in the dissemination of misinformation about these species, their natural behaviors and biology, and their conservation in the wild. While some exhibitors claim to be contributing to the protection of these animals, the misinformation that they share with customers runs counter to the objective of advancing conservation education. There is nothing natural or informative about viewing these large predators in tiny enclosures, treating them as "pets," allowing humans to handle juveniles that have been torn from their mothers, or over-breeding, crossbreeding and inbreeding cats to produce revenue-generating cubs. These practices not only fail to provide conservation benefits, but also mislead the public about big cats' natural behaviors in the wild.

¹³ U.S. Fish & Wildlife Service, *Owner of Chicago Area Exotic Meat Market Sentenced to Six Months in Prison*, FWS Journal (Dec. 18, 2003), available at http://www.fws.gov/arsnew/print/print_report.cfm?arskey=11071.

Besides harming big cats, the existing private ownership and breeding systems in the United States burdens taxpayers. When first responders must handle a big cat that has escaped or otherwise poses an immediate threat to nearby communities, taxpayers bear the cost of response efforts. Sheriff Lutz reported that responding to the “Zanesville massacre” cost his department an extra \$8,000; expenses like these, which result from irresponsible private ownership, breeding and handling of big cats, are passed on to the public.

Despite the establishment of various state laws related to big cat possession, a federal solution is needed to address the many problems surrounding the private ownership of big cats in the U.S. The current regulatory patchwork for dangerous captive big cats is ineffective, inefficient and expensive. Some states have little to no restrictions on the private possession of big cats, while others have substantially limited the private ownership of these wild animals. Falling in between these two approaches, certain states have instituted partial bans on the private ownership of wild animals, forbidding ownership of particular species, while still others have established licensing requirements. While strengthening state laws would be a step in the right direction, these patchwork restrictions cannot adequately address the dangerous and inhumane U.S. trade in captive big cats. These animals are regularly transported, exhibited and sold across state lines and, with respect to dangerous incidents and escapes, these deadly felids do not simply become less dangerous when they cross state lines. Accordingly, it is critical that Congress take action.

For the sake of public safety, protection of first responders, welfare of big cats, and international conservation, IFAW respectfully asks that the Subcommittee advance the Big Cat Public Safety Act (H.R. 263). Again, thank you for the opportunity to provide testimony on this important matter.